

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT WINCHESTER

MICHAEL BROWN, )  
 )  
Petitioner, ) ) 4:03-cv-81  
v. ) ) Mattice  
 )  
KEVIN MYERS, Warden, ) )  
 ) Respondent. )

**JUDGMENT ORDER**

For the reasons set forth in the accompanying Memorandum, the petition for the writ of habeas corpus is **DENIED** and this action is **DISMISSED**. Should the petitioner give timely notice of an appeal from this decision, such notice will be treated as an application for a certificate of appealability, which under the circumstances is hereby **DENIED**. The Court **CERTIFIES** that any appeal from this action would not be taken in good faith and would be totally frivolous. The Court further **DENIES** the petitioner leave to proceed *in forma pauperis* on appeal.

**E N T E R :**

*rg A. mattice.*  
\_\_\_\_\_  
Harry S. Mattice, Jr.  
UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT  
s/ Patricia L. McNutt  
CLERK OF COURT